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District Attorney Jim Garrison, left, has been forbidden by a federal judge in Louisiana to prosecute Clay Shaw, right, further on a charge of lying to jury that cleared him of plotting the John Kennedy assassination.

Prosecution Bar Elates Claw Shaw

NEW ORLEANS, May 28 (AP)—Clay Shaw is elated, yet somewhat wary of his new freedom from prosecution by District Attorney Jim Garrison.

A federal judge has issued a permanent injunction forbidding Garrison to prosecute Shaw on a charge that he lied to the jury that acquitted him of conspiring in the assassination of President John F. Kennedy.

"I'm delighted," Shaw said. "But remember, Garrison can still appeal.

"At least, I am delighted that after four years and 87 days, the federal court ruled he (Garrison) acted in bad faith."

Shaw, former director of the New Orleans International Trade Mart, has been drained financially and emotionally since March 1967 when Garrison charged him with conspiring to assassinate Kennedy.

A jury, which deliberated less than an hour after a six-month trial, acquitted Shaw of the conspiracy charge on March 1, 1969.

Two days later, Garrison filed the perjury charge, accusing Shaw of lying under oath when he testified that he never knew Lee Harvey Oswald or David Ferrie, named as coconspirators in the trial.

Oswald, a former New Orleans resident, was named by the Warren Commission as the assassin of Kennedy in Dallas in 1963. Oswald was also slain in Dallas.

Ferrie died in New Orleans at the height of Garrison's probe in 1967.

In a 21-page opinion, U.S. District Court Judge Herbert Christenberry said Thursday that Garrison's perjury charge was "brought in bad faith and that such bad faith constitutes irreparable injury, which is great and immediate."

Garrison, a near-recluse for two years, could not be reached for comment.

However, Assistant District Attorney John Voltz, who handled the perjury case, said the Christenberry ruling might be appealed.

Judge Christenberry called the perjury charge a case of "continuing harassment and multiple prosecutions, with the likelihood that such harassment and prosecution will continue in the future, unless abated by direct federal court intervention."

"If plaintiff is forced to stand trial for perjury, takes the stand and is acquitted, this court has no doubt but that plaintiff will be charged anew on the basis of statements made by him on the witness stand," the ruling said.

At 57, the tall, articulate Shaw is trying to recoup his financial losses in attorneys' fees.

He is writing a play, he lectures on what it's like to be a defendant in a presidential assassination case, and he restores homes in the French Quarter.

The four years also have been bad on Garrison.

The district attorney was re-elected in 1970 but the public never saw him in his campaign, and few have seen him since. He suffers from a spinal infection that almost has crippled him.